

**468.356 Petition — procedure — emergency pumping station.**

1. A pumping station shall not be established or maintained unless a petition shall be presented to the board signed by not less than one-third of the owners of lands benefited by the establishment of a pumping station. The lands benefited by a pumping station shall be determined by the board on the petition and report of the engineer, and such other evidence as the board may hear. No additional land shall be taken into any such drainage district after the improvements in the district have been substantially completed, unless one-third of the owners of the land proposed to be annexed have petitioned or consented in writing to the annexation.

2. However, the board of supervisors may install a temporary portable pumping station to remove flood waters in an emergency. The board of supervisors shall levy and collect the cost of the purchase, operation, and maintenance of the pumping station from the lands in the district benefited by the pumping station in the same manner as provided for in the construction and maintenance of a drainage or levee district. For the purpose of [this subsection](#), an emergency occurs when ponded or standing water does not freely flow to the outlet ditch and the capacity of the outlet ditch is not fully used.

[S13, §1989-a49; C24, 27, 31, 35, 39, §7652; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §461.2]

[85 Acts, ch 166, §1](#); [89 Acts, ch 126, §2](#)

CS89, §468.356

[2019 Acts, ch 59, §162](#)

Section amended